

**Meeting of the Central Valley Flood Protection Board
December 3, 2010
Staff Report – Encroachment Permit
City of Gridley
Gridley Boat Launch Improvement Project, Butte County**

1.0 – ITEM

Consider approval of Permit No. 18567 (Attachment B)

2.0 – APPLICANT

City of Gridley

3.0 – LOCATION

The project is located east of the City of Gridley and south of East Gridley Road.
(Feather River Designated Floodway, Butte County, see Attachment A)

4.0 – DESCRIPTION

Applicant proposes to remove a 20- by 30-foot concrete boat ramp; construct a 28- by 75-foot-long boat ramp, install a boarding dock; construct additional parking, install restrooms and a fish cleaning station; extend power, water and sewer, and replace removed vegetation on the left (east) bank of the Feather River Designated Floodway.

5.0 – PROJECT ANALYSIS

The City of Gridley is proposing to improve the existing City-owned and operated boat launch facility located on east bank of the Feather River. The project includes: replacement of the boat launch and installation of five floating docks secured by steel piles; construction of additional parking (25 spaces) and improved vehicle access; installation of restrooms; a new fish cleaning station; and extension of power, water and sewer to serve the facility. The project is adjacent to the City's wastewater treatment plant.

Sewer lines, and a new pump station, will be installed to service the restrooms. A 4-inch sewer pipe will be installed to connect the restrooms with the proposed lift station, and discharge sewer pipe will connect the lift station with the City's existing wastewater treatment plant, located adjacent to and east of the proposed project. Power will be extended from existing on-site sources to operate the lift station.

The new fish cleaning station will include a sink, counter and two faucets located under a roof structure. The fish cleaning station will drain to the new lift station and ultimately to the wastewater treatment plant.

Project improvements will require removal and disposal of the following existing features: existing concrete boat launch ramp; access road asphalt concrete; existing concrete curb; existing fish cleaning station; two existing lights, light poles and concrete light pole foundations. The existing water pipe located west of the north-south main line will be capped and left in place. Construction activities will result in the removal of 39 trees which will be replaced at a 1 : 1 ratio.

5.1 – Hydraulic Analysis

The proposed project will replace an existing boat launch facility and the hydraulic impacts of the project are considered minor therefore a hydraulic analysis was not required.

5.2 – Geotechnical Analysis

The proposed project does not involve a levee or any significant structures therefore a geotechnical analysis was not required.

5.3 – Additional Staff Analysis

The proposed project is located on the east overflow area of the Feather River Designated Floodway (DF). The west boundary of the DF in the project area corresponds to the right (west) bank levee of the Feather River, which is a project levee. The proposed project will have no impacts on the project levee.

6.0 – AGENCY COMMENTS AND ENDORSEMENTS

The comments and endorsements associated with this project, from all pertinent agencies are shown below:

- The U.S. Army Corps of Engineers 208.10 comment letter has not yet been received for this application. Upon receipt of a favorable letter and review by Board staff it will be incorporated into the permit as Exhibit A.
- State Maintenance Area 7 has endorsed this application.

7.0 – PROPOSED CEQA FINDINGS

Board staff has prepared the following CEQA Findings:

The Board, as a responsible agency under CEQA, has reviewed Initial Study/Mitigated Negative Declaration (SCH Number: 2009102029, October 2009) and Mitigation Monitoring and Reporting Program for the Gridley Boat Launch Improvement Project prepared by the lead agency, the City of Gridley. These documents, including project design, may be viewed or downloaded from the Central Valley Flood Protection Board website at <http://www.cvpfb.ca.gov/meetings/2010/12-3-2010agenda.cfm> under a link for this agenda item. These documents are also available for review in hard copy at the Board and the Gridley Planning Department.

The City of Gridley has determined that the project would not have a significant effect on the environment and adopted Resolution No. 2010-R-003 on February 16, 2010 and filed a Notice of Determination on February 18, 2010 with the State Clearinghouse. Board staff finds that although the proposed project could have a potentially significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. The project proponent has incorporated mandatory mitigation measures into the project plans to avoid identified impacts or to mitigate such impacts to a point where no significant impacts will occur. These mitigation measures are included in the project proponent's Mitigation Monitoring and Reporting Program and address impacts to air quality, biological resources, cultural resources, hazards and hazardous materials. The description of the mitigation measures are further described in the adopted Mitigation Monitoring and Reporting Program.

8.0 – SECTION 8610.5 CONSIDERATIONS

1. Evidence that the Board admits into its record from any party, State or local public agency, or nongovernmental organization with expertise in flood or flood plain management:

The Board will make its decision based on the evidence in the permit application and attachments, this staff report, and any other evidence presented by any individual or group.

2. The best available science that related to the scientific issues presented by the executive officer, legal counsel, the Department or other parties that raise credible scientific issues.

The accepted industry standards for the work proposed under this permit as regulated by Title 23 have been applied to the review of this permit.

3. Effects of the decision on the entire State Plan of Flood Control:

The proposed boat launch facility replaces an existing facility so there will be no effects on the State Plan of Flood Control.

4. Effects of reasonable projected future events, including, but not limited to, changes in hydrology, climate, and development within the applicable watershed:

The proposed boat launch facility may need to be redesigned and possibly relocated if changes in climate and/or hydrology results in Feather River flows that are significantly different than they are today.

9.0 – STAFF RECOMMENDATION

Staff recommends that the Board adopt the CEQA findings and approve the permit conditioned upon receipt of a favorable U.S. Army Corps of Engineers comment letter and direct staff to file a Notice of Determination with the State Clearinghouse.

10.0 – LIST OF ATTACHMENTS

- A. Location Maps and Photos
- B. Draft Permit No. 18567
- C. Design drawings

Report Completed by:	Gary Lemon P.E.
Environmental Review:	James Herota
Document Review:	Len Marino P.E.

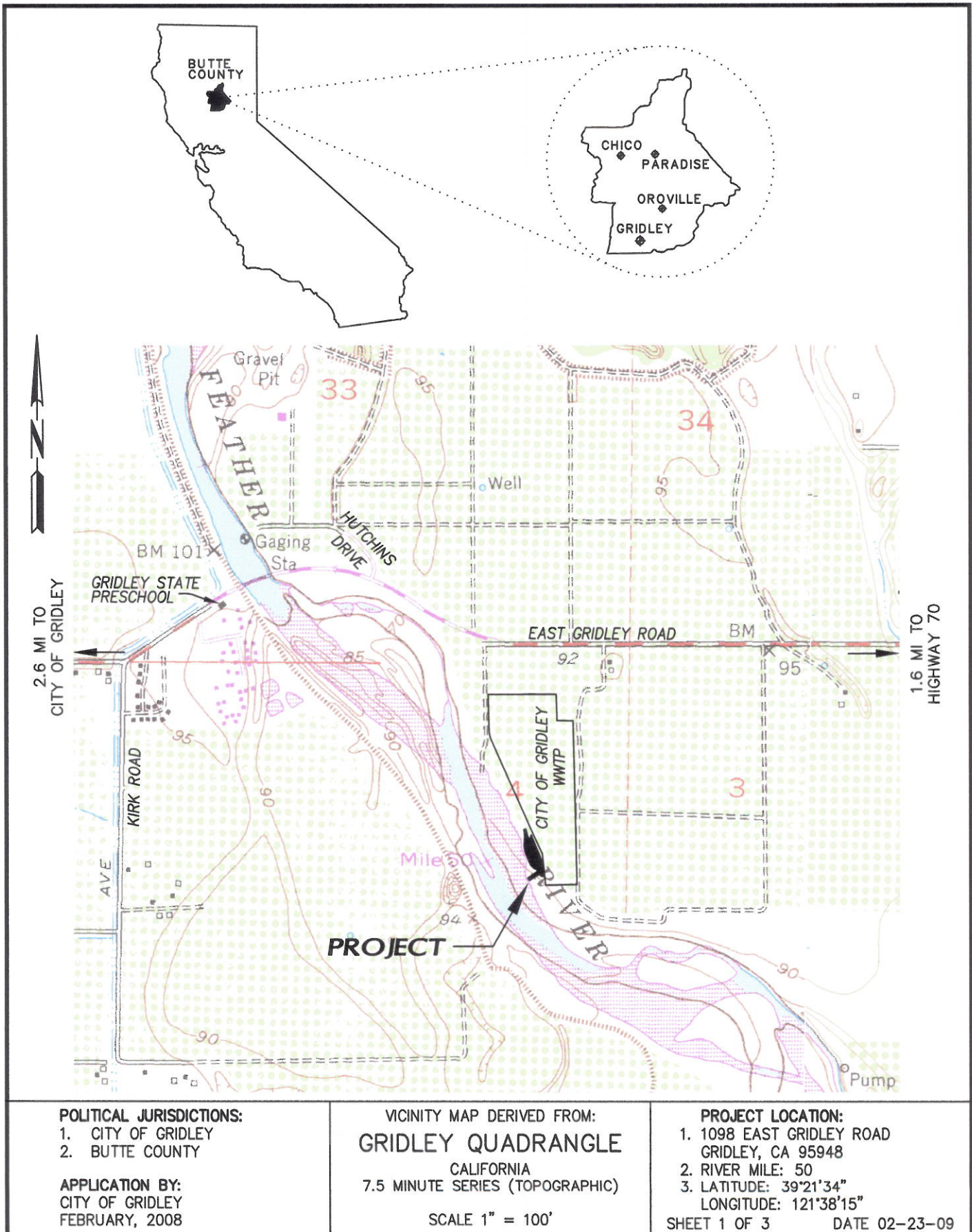


FIGURE 1

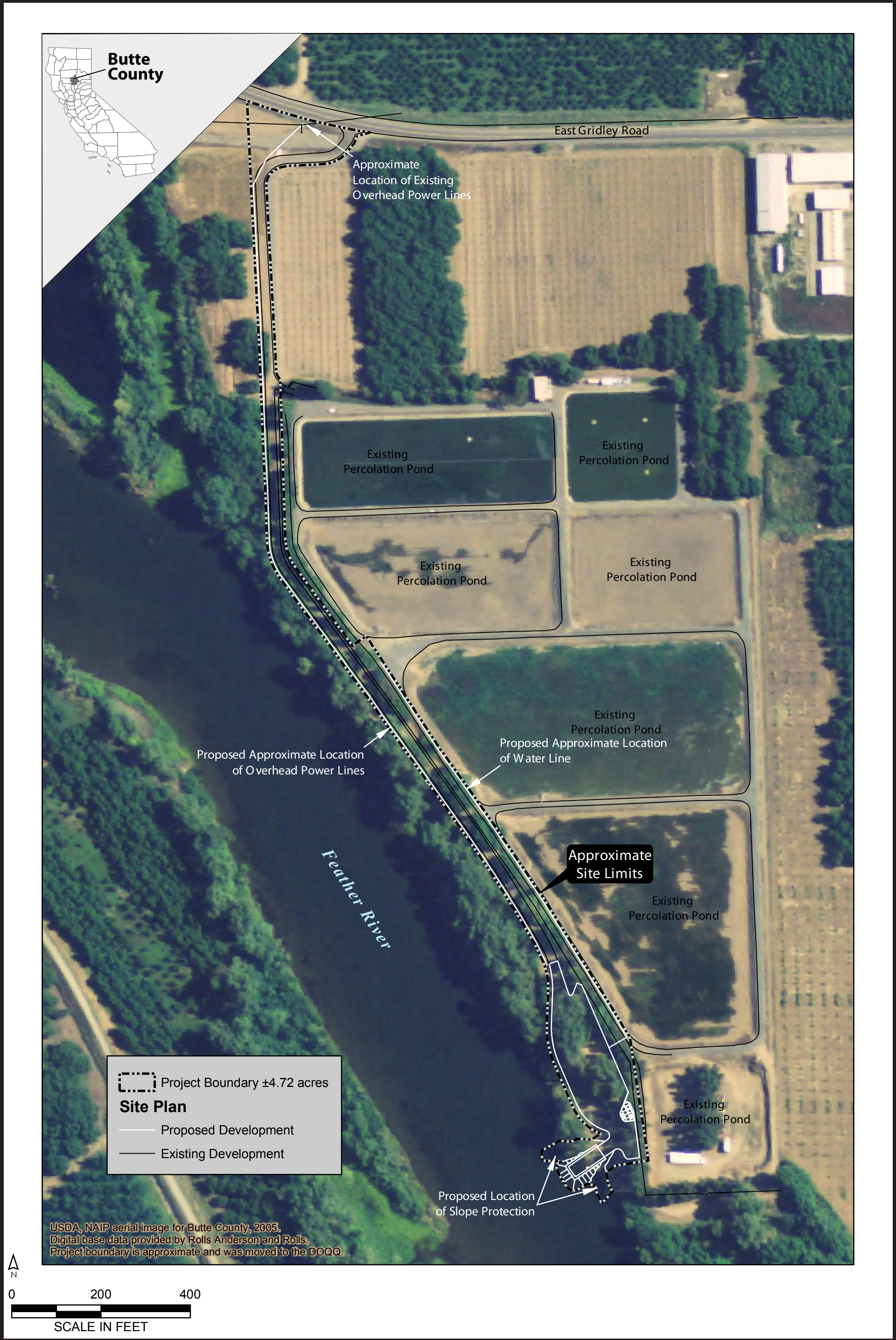


FIGURE 3.0-1
PROJECT LOCATION



PICTURE TAKEN LOOKING NORTH FROM BANK SOUTH OF RAMP
FIGURE 4



PICTURE TAKEN LOOKING SOUTH FROM BANK NORTH OF RAMP
FIGURE 5



PICTURE TAKEN LOOKING NORTH FROM SOUTH END OF PROPOSED IMPROVEMENTS
FIGURE 6

DRAFT

STATE OF CALIFORNIA
THE RESOURCES AGENCY
THE CENTRAL VALLEY FLOOD PROTECTION BOARD

PERMIT NO. 18567 BD

This Permit is issued to:

City of Gridley
685 Kentucky Street
Gridley, California 95948

To remove 20- by 30-foot concrete boat ramp; construct a 28- by 75-foot-long boat ramp, install a boarding dock; construct additional parking, install restrooms and a fish cleaning station; extend power, water and sewer, and replace removed vegetation on the left (east) bank of the Feather River Designated Floodway.

The project is located east of the City of Gridley and south of East Gridley Road (Section 3&4, T17N, R3E, MDB&M, Sutter Maintenance Yard, Feather River, Butte County).

NOTE: Special Conditions have been incorporated herein which may place limitations on and/or require modification of your proposed project as described above.

(SEAL)

Dated: _____

Executive Officer

GENERAL CONDITIONS:

ONE: This permit is issued under the provisions of Sections 8700 – 8723 of the Water Code.

TWO: Only work described in the subject application is authorized hereby.

THREE: This permit does not grant a right to use or construct works on land owned by the Sacramento and San Joaquin Drainage District or on any other land.

FOUR: The approved work shall be accomplished under the direction and supervision of the State Department of Water Resources, and the permittee shall conform to all requirements of the Department and The Central Valley Flood Protection Board.

FIVE: Unless the work herein contemplated shall have been commenced within one year after issuance of this permit, the Board reserves the right to change any conditions in this permit as may be consistent with current flood control standards and policies of The Central Valley Flood Protection

Board.

SIX: This permit shall remain in effect until revoked. In the event any conditions in this permit are not complied with, it may be revoked on 15 days' notice.

SEVEN: It is understood and agreed to by the permittee that the start of any work under this permit shall constitute an acceptance of the conditions in this permit and an agreement to perform work in accordance therewith.

EIGHT: This permit does not establish any precedent with respect to any other application received by The Central Valley Flood Protection Board.

NINE: The permittee shall, when required by law, secure the written order or consent from all other public agencies having jurisdiction.

TEN: The permittee is responsible for all personal liability and property damage which may arise out of failure on the permittee's part to perform the obligations under this permit. If any claim of liability is made against the State of California, or any departments thereof, the United States of America, a local district or other maintaining agencies and the officers, agents or employees thereof, the permittee shall defend and shall hold each of them harmless from each claim.

ELEVEN: The permittee shall exercise reasonable care to operate and maintain any work authorized herein to preclude injury to or damage to any works necessary to any plan of flood control adopted by the Board or the Legislature, or interfere with the successful execution, functioning or operation of any plan of flood control adopted by the Board or the Legislature.

TWELVE: Should any of the work not conform to the conditions of this permit, the permittee, upon order of The Central Valley Flood Protection Board, shall in the manner prescribed by the Board be responsible for the cost and expense to remove, alter, relocate, or reconstruct all or any part of the work herein approved.

SPECIAL CONDITIONS FOR PERMIT NO. 18567 BD

THIRTEEN: All work approved by this permit shall be in accordance with the submitted drawings and specifications except as modified by special permit conditions herein. No further work, other than that approved by this permit, shall be done in the area without prior approval of the Central Valley Flood Protection Board.

FOURTEEN: The permittee is responsible for all liability associated with construction, operation, and maintenance of the permitted facilities and shall defend, indemnify, and hold the Central Valley Flood Protection Board and the State of California; including its agencies, departments, boards, commissions, and their respective officers, agents, employees, successors and assigns (collectively, the "State"), safe and harmless, of and from all claims and damages arising from the project undertaken pursuant to this permit, all to the extent allowed by law. The State expressly reserves the right to supplement or take over its defense, in its sole discretion

FIFTEEN: The permittee shall defend, indemnify, and hold the Central Valley Flood Protection Board and the State of California, including its agencies, departments, boards, commissions, and their respective officers, agents, employees, successors and assigns (collectively, the "State"), safe and harmless, of and from all claims and damages related to the Central Valley Flood Protection Board's approval of this permit, including but not limited to claims filed pursuant to the California Environmental Quality Act. The State expressly reserves the right to supplement or take over its defense, in its sole discretion.

SIXTEEN: The Central Valley Flood Protection Board and Department of Water Resources shall not be held liable for damages to the permitted encroachment(s) resulting from releases of water from reservoirs, flood fight, operation, maintenance, inspection, or emergency repair.

SEVENTEEN: No construction work of any kind shall be done during the flood season from

November 1st to April 15th without prior approval of the Central Valley Flood Protection Board.

EIGHTEEN: The permittee shall contact the Department of Water Resources by telephone, (916) 574-0609, and submit the enclosed postcard to schedule a preconstruction conference. Failure to do so at least 10 working days prior to start of work may result in delay of the project.

NINETEEN: Stockpiled material, temporary buildings, or equipment shall not remain in the Feather River Designated Floodway during the flood season from November 1st to April 15th.

TWENTY: Cleared trees and brush shall be completely burned or removed from the Feather River Designated Floodway, and downed trees or brush shall not remain in the Feather River Designated Floodway during the flood season from November 1st to April 15th.

TWENTY-ONE: The top of driven piles shall be a minimum distance of 2 feet above the design flood plane elevation of 98.0 feet, NGV Datum.

TWENTY-TWO: Backfill material for excavations shall be placed in 4- to 6-inch layers and compacted to at least the density of the adjacent, firm, undisturbed material.

TWENTY-THREE: All pipelines within Feather River Designated Floodway shall be buried with a minimum of 2 feet of cover.

TWENTY-FOUR: All structures shall be properly anchored to prevent floatation into the floodway in the event of high water.

TWENTY-FIVE: The overflow area and project site shall be restored to at least the same condition that existed prior to commencement of work.

TWENTY-SIX: All debris generated by this project shall be disposed of outside the Feather River Designated Floodway.

TWENTY-SEVEN: Debris that may accumulate on the permitted encroachment(s) and related facilities shall be cleared off and disposed of outside the Feather River Designated Floodway after each period of high water.

TWENTY-EIGHT: The permittee shall maintain the permitted encroachment(s) in the manner required and as requested by the authorized representative of the Department of Water Resources or any other agency responsible for maintenance.

TWENTY-NINE: In the event that bank erosion injurious to the adopted plan of flood control occurs at or adjacent to the permitted encroachment(s), the permittee shall repair the eroded area and propose measures, to be approved by the Central Valley Flood Protection Board, to prevent further erosion.

THIRTY: The permitted encroachment(s) shall not interfere with operation and maintenance of the flood control project. If the permitted encroachment(s) are determined by any agency responsible for operation or maintenance of the flood control project to interfere, the permittee shall be required, at permittee's cost and expense, to modify or remove the permitted encroachment(s) under direction of the Central Valley Flood Protection Board or Department of Water Resources. If the permittee does

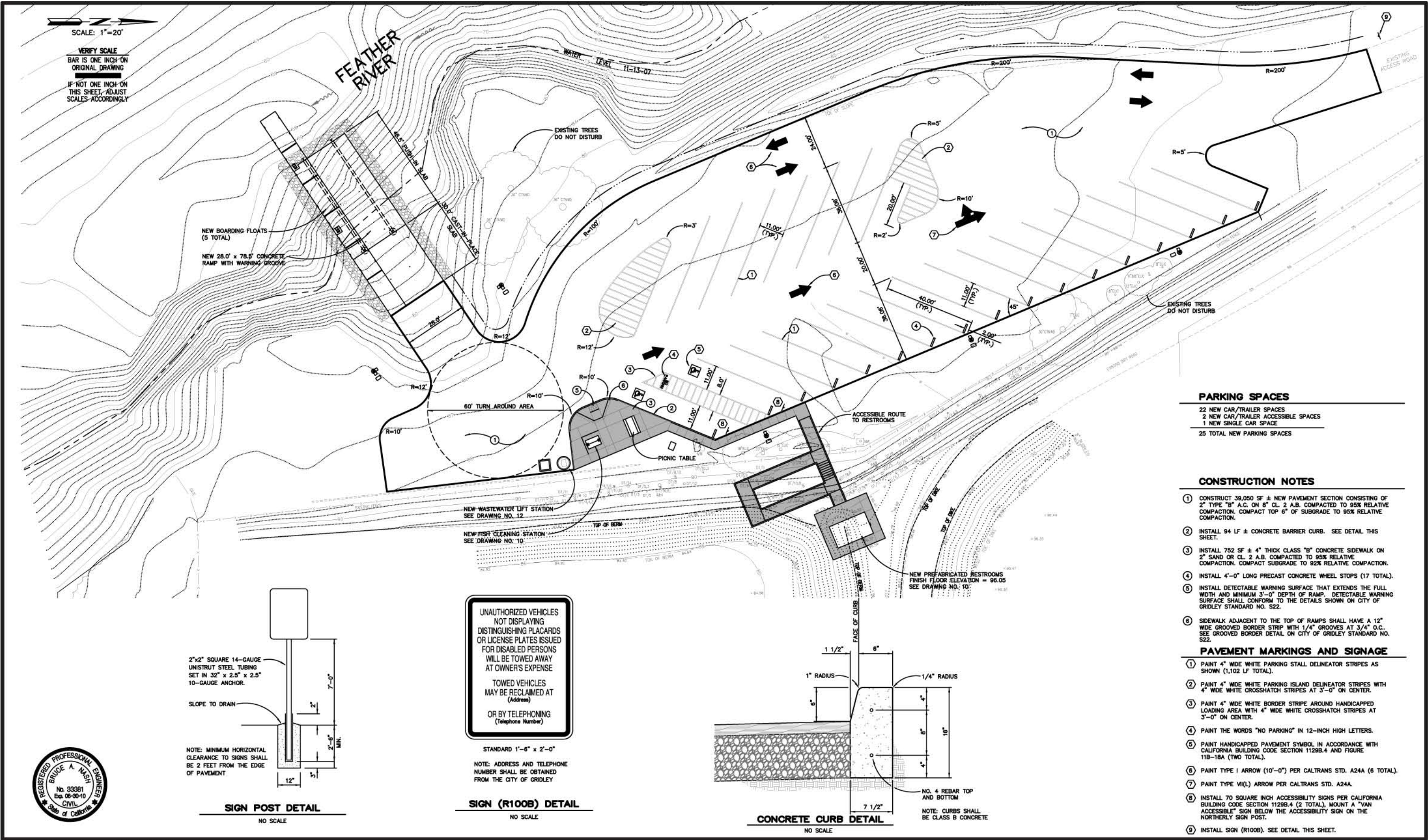
not comply, the Central Valley Flood Protection Board may modify or remove the encroachment(s) at the permittee's expense.

THIRTY-ONE: The permittee may be required, at permittee's cost and expense, to remove, alter, relocate, or reconstruct all or any part of the permitted encroachment(s) if removal, alteration, relocation, or reconstruction is necessary as part of or in conjunction with any present or future flood control plan or project or if damaged by any cause. If the permittee does not comply, the Central Valley Flood Protection Board may remove the encroachment(s) at the permittee's expense.

THIRTY-TWO: If the project, or any portion thereof, is to be abandoned in the future, the permittee or successor shall abandon the project under direction of the Central Valley Flood Protection Board and Department of Water Resources, at the permittee's or successor's cost and expense.

THIRTY-THREE: The mitigation measures approved by the CEQA lead agency and the permittee are found in its Mitigation and Monitoring Reporting Program (MMRP) adopted by the CEQA lead agency. The permittee shall implement all such mitigation measures.

THIRTY-FOUR: The permittee shall comply with all conditions set forth in the letter from the Department of the Army dated December XX, 2010, which is attached to this permit as Exhibit A and is incorporated by reference.



Source: Rolls Anderson & Rolls, 2009

FIGURE 3.0-2
SITE PLAN